

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of Part 90 and 88 to Revise
the Private Land Mobile Radio Services
and Modify the Policies Governing Them

PR Docket No. 92-235

and

Examination of Exclusivity and Frequency
Assignments Policies of the Private Land
Mobile Services

To the Commission:

**PETITION FOR CLARIFICATION OF
INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION
AND
INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, INC.**

The International Association of Fire Chiefs, Inc. ("IAFC") and the International Municipal Signal Association ("IMSA") (collectively, "IAFC/IMSA"), through their undersigned counsel, hereby respectfully submit this Petition for Clarification to correct the Public Safety Pool Frequency Table (47 C.F.R. § 90.20(c)) concerning the use of certain paired 450 MHz channels allocated to and intended for Emergency Medical Radio Service (EMRS) communications. In support thereof, IMSA/IAFC state the following:

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I. STATEMENT OF INTEREST

IAFC is a voluntary professional membership society. Its more than 9,000 members, comprised of senior fire officials, are dedicated to the protection of life and property throughout the United States and abroad. IAFC is the major national professional association representing the interests of senior fire service managers.

IMSA is non-profit organization devoted to the development and use of electrical signalling and communications systems in the furtherance of public safety. The members of IMSA include representatives of federal, state, county, city, township and borough governmental bodies and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to the public safety use of radio technology.

Collectively, IMSA/IAFC are recognized by the Commission as the exclusive frequency coordinating committee for the Emergency Medical Radio Service ("EMRS").

II. THE PUBLIC SAFETY POOL FREQUENCY TABLE SHOULD BE AMENDED TO INDICATE THAT FREQUENCIES 453.025/.075/.125/.175 MHz AND 458.025/.075/.125/.175 MHz HAVE BEEN ALLOCATED EXCLUSIVELY FOR EMRS COMMUNICATIONS

A. *Channels on the 453.025/.075/.125/.175 MHz and 458.025/.075/.125/.175 MHz Frequencies Are To Be Used Exclusively for EMRS.*

In 1993, the Commission created the EMRS to improve the communications capabilities of entities engaged in the provision of life support activities.^{1/} In order to provide the spectrum necessary to create the EMRS, the Commission reassigned Special Emergency Radio Service frequencies in the 453 MHz and 458 MHz band to the EMRS.^{2/} The Commission limited eligibility for EMRS authorizations to “[p]ersons or entities engaged in the provision of basic or advanced life support services on an ongoing basis that operate radio stations for transmission of communications essential for the delivery or rendition of emergency medical services . . .”^{3/} At that time, IAFC/IMSA was chosen as the certified coordinator of EMRS frequencies.

In its recent *Refarming* proceeding, the Commission held that “applicants for a frequency in the new Public Safety Pool should be required to obtain coordination from the current

^{1/} *Amendment of Part 90 of the Commission's Rules to Create the Emergency Medical Radio Service*, Report and Order, FCC 93-32, 8 FCC Rcd 1454, released February 12, 1993.

^{2/} *Id.* at ¶ 25.

^{3/} *Id.* at ¶ 13.

recognized frequency coordinator for the specified frequencies."^{4/} In reaching this decision, the Commission agreed with commenters that argued that "individual public safety coordinators in the existing bands below 470 MHz provide the best method for managing frequency assignments to ensure that the vital needs of each public safety organization are satisfied."^{5/} The Commission maintained this coordination scheme in order to preserve the integrity of each particular public safety radio service. By retaining the current public safety coordinators, the Commission has ensured that each frequency is used to transmit communications for which it has been allocated.

B. *The Public Safety Pool Frequency Table is Incorrect With Respect to the Exclusive Use of Channels on the 453.025/.075/.125/.175 MHz and 458.025/.075/.125/.175 MHz Frequencies.*

The current Public Safety Pool Frequency Table does not reflect the fact that the subject frequencies were allocated exclusively for EMRS use.^{6/} Section 90.20(c)(2)(i) of the Commission's rules sets forth the letter symbols designating the certified coordinator for each respective frequency. The frequency coordinator for the EMRS is designated by a "PM." However, in the frequency table, the coordinator for EMRS frequencies 453.025/.075/.125 and

^{4/} *In the matter of Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments of the Private Land mobile Services*; Second Report and Order, ¶ 37, FCC 97-61, PR Docket No. 92-235, released March 12, 1997 (hereinafter "Second Report").

^{5/} *Id.* at ¶ 35.

^{6/} See 47 C.F.R. § 90.20(c)(3) (1997). (47 C.F.R. §§ 90.20(d)(58)-(63) set forth limited exceptions to the exclusive use of these frequencies for EMRS communications.)

.175 MHz has been incorrectly designated by the symbols "PX" and "PS."^{2/} The coordinator for EMRS frequencies 458.025/.075.125 and .175 has been incorrectly designated by the symbol "PS." By using these incorrect symbols, it appears that these frequencies may be used for any public safety use, rather than exclusively for EMRS communications.

The *Refarming* Order provides no indication that the Commission intended to change the primary use designation of these EMRS channels. Indeed such a change would be inconsistent with the findings in the EMRS rulemaking completed only four years earlier. IMSA/IAFC can only conclude that the designation of these channels as PS and PX, rather than PM, was an error in compiling the new frequency table. Accordingly, IMSA/IAFC request the Commission to correct the coordinator symbol for the subject frequencies, and thereby protect these frequencies for EMRS communications.

WHEREFORE, THE PREMISES CONSIDERED, the International Association of Fire Chiefs, Inc. and the International Municipal Signal Association and respectfully urge the Federal Communications Commission to correct the Public Safety Pool Frequency Table by changing the coordinator symbol for frequencies 453.025/.075/.125/.175 MHz and 458.025/.075/.125/.175 MHz from "PX/PS" and "PS," respectively, to PM.

^{2/} "PS" is the symbol for the Special Emergency Coordinator. "PX" is the symbol for any Public Safety Coordinator, except the Special Emergency Coordinator.

Respectfully submitted,

**INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION
AND
INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, INC.**



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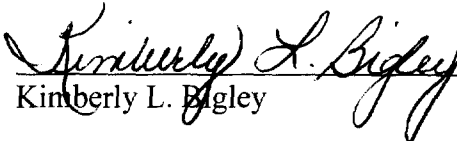
CERTIFICATE OF SERVICE

I, Kimberly L. Bigley, a secretary for the law offices of Keller and Heckman LLP, hereby certify that on January 14, 1998, a copy of the foregoing Petition for Clarification was served by first-class mail, postage prepaid, upon:

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